

THE CITY OF NEW YORK
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October 31, 2007

BY FAX

Honorable Sidney H. Stein
 United States District Judge
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

MEMO ENCLOSED

Re: Francisco Camacho and Evelyn Camacho v. City of New York, et al.
 07 Civ. 5581 (SHS)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants. For the reasons detailed herein, defendants respectfully request a brief enlargement of time, from October 31, 2007 to November 9, 2007, to "provide the names of the officers who they believe were involved in the alleged incident of October 12, 2006." The Court previously granted defendants a two week extension of time to identify the officers. Plaintiff's counsel consents to this request.

As the Court may recall, plaintiff alleges that he was subjected to excessive force by police officers after he suffered a seizure at Brooklyn Central Booking on or about October 12, 2006. Defendants have been able to identify the officers who transported plaintiff to Central Booking as well as the officer who transported plaintiff from Central Booking to the hospital, but, on information and belief, none of these officers, all of whom are assigned to the 83rd Precinct, witnessed plaintiff's seizure. Moreover, as noted in my letter of October 17, 2007, there is no mention of plaintiff or this incident in the Central Booking Command Log, and plaintiff is not listed on the Central Booking Prisoner Roster for October 11 or 12, 2006. In addition, I have recently been informed that the New York City Police Department has been unable to locate a Medical Treatment of Prisoner form that relates to plaintiff's seizure.¹

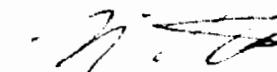
¹ As noted in my October 17, 2007 letter, we have been able to locate a Medical Treatment of Prisoner form for plaintiff, dated October 12, 2006, but this appears to be related to a previous trip to the hospital.

However, I have recently learned that plaintiff was being held in the "Staging" area of Central Booking approximately three hours before EMS arrived to treat plaintiff. An enlargement of time will allow this office to identify and reach out to the officers assigned to this area at Central Booking at the approximate time of the incident alleged in the complaint, to see if they witnessed plaintiff's seizure.

Accordingly, defendants respectfully request a brief enlargement of time, until November 9, 2007, to attempt to ascertain the identities of any officers whom they believe may have been involved in the incident alleged in the complaint.

I thank the Court for its time and consideration of this request.

Respectfully submitted,



Michael Chestnov
Assistant Corporation Counsel
Special Federal Litigation Division

cc: David A. Zelman, Esq., attorney for plaintiff (by fax)

SO ORDERED 10/31/07


SIDNEY H. STEIN
U.S.D.J.